

Article - Estates and Trusts

[\[Previous\]](#)[\[Next\]](#)

§3–104.

(a) If there is no surviving issue the net estate exclusive of the share of the surviving spouse, or the entire net estate if there is no surviving spouse, shall be distributed by the personal representative pursuant to the provisions of this section.

(b) Subject to §§ 3–111 and 3–112 of this subtitle, it shall be distributed to the surviving parents equally, or if only one parent survives, to the survivor; or if neither parent survives, to the issue of the parents, by representation.

(c) If there is no surviving parent or issue of a parent, it shall be distributed one half to the surviving paternal grandparents equally, or if only one paternal grandparent survives, to the survivor, or if neither paternal grandparent survives, to the issue of the paternal grandparents, by representation, and one half to the surviving maternal grandparents equally, or if only one maternal grandparent survives, to the survivor, or if neither maternal grandparent survives, to the issue of the maternal grandparents, by representation. In the event that neither of one pair of grandparents and none of the issue of either of that pair survives, the one half share applicable shall be distributed to the other pair of grandparents, the survivor of them or the issue of either of them, in the same manner as prescribed for their half share.

(d) If there is no surviving parent or issue of a parent, or surviving grandparent or issue of a grandparent, it shall be distributed one quarter to each pair of great-grandparents equally or all to the survivor, or if neither survives, all to the issue of either or of both of that pair of great-grandparents, by representation. In the event that neither member of a pair of great-grandparents nor any issue of either of that pair survives, the quarter share applicable shall be distributed equally among the remaining pairs of great-grandparents or the survivor of a pair or issue of either of a pair of great-grandparents, in the same manner as prescribed for a quarter share.

(e) If there is no surviving blood relative entitled to inherit under this section, it shall be divided into as many equal shares as there are stepchildren of the decedent who survive the decedent and stepchildren of the decedent who did not survive the decedent but of whom issue did survive the decedent. Each stepchild of the decedent who did survive the decedent shall receive one share and the issue of each stepchild of the decedent who did not survive the decedent but of whom issue did survive the decedent shall receive one share apportioned by applying the pattern of representation set forth in § 1–210 of this article. As used in this subsection,

“stepchild” shall mean the child of any spouse of the decedent if such spouse was not divorced from the decedent.

[\[Previous\]](#)[\[Next\]](#)